

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Jasmine Yvette McFadden**

**Docket No. 5:09-CR-94-4FL**

**Petition for Action on Supervised Release**

COMES NOW Julie Wise Rosa, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jasmine Yvette McFadden, who, upon an earlier plea of guilty to Interference With Commerce by Robbery and Aiding and Abetting, in violation of 18 U.S.C. §§ 1951 and 2, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on October 15, 2009, to the custody of the Bureau of Prisons for a term of 38 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall provide the probation office with access to any requested financial information.
2. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
5. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
6. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

7. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Jasmine Yvette McFadden was released from custody on December 13, 2011, at which time the term of supervised release commenced. McFadden was compliant with her term of supervision until June 22, 2013, when she tested positive for the use of marijuana. She was reprimanded for her actions and ordered to serve a 2-day DROPS Sanction. The probation officer taught the defendant the cognitive model (STARR Technique) and directed her to complete written assignments outlining how she applied this model. For the next nine months McFadden remained compliant with the terms of her release. However, on March 1, 2014, she was charged in Wake County, North Carolina with Driving While License Revoked and Failure to Dim Lights (14CR713033). Additionally, on March 10, 2014, she tested positive for the use of cocaine. Her drug testing was increased and she was ordered to serve a 5-day DROPS Sanction. She was charged on April 11, 2014, with Driving While License Revoked and Failure to Reduce Speed (14CR722138) in Wake County, but the case was dismissed. On May 8, 2014, McFadden tested positive for the use of cocaine and was ordered to serve a 10-day DROPS Sanction and attend substance abuse treatment.

On July 30, 2014, McFadden was confronted about missing multiple drug tests between April and July. McFadden admitted she does not call the surprise urinalysis line as directed. The probation officer reprimanded the defendant for her continued pattern of poor choices. In light of her employment history, early compliance with supervision, and minimal time remaining on supervision, it is the opinion of the probation officer that McFadden may benefit from the structured environment of the HOPE Court. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

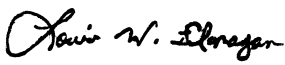
I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain  
Michael C. Brittain  
Senior U.S. Probation Officer

/s/Julie Wise Rosa  
Julie Wise Rosa  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8660  
Executed On: August 1, 2014

**ORDER OF COURT**

Considered and ordered this 6th day of August, 2014, and ordered filed and made a part of the records in the above case.

  
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Louise W. Flanagan  
U.S. District Judge